

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLESTOWN TOWNSHIP	:	CIVIL ACTION
	:	
v.	:	
	:	
UNITED STATES SURETY COMPANY	:	No. 17-5469

O R D E R

AND NOW, this 2nd day of May, 2018, upon consideration of Defendants' Motion to Dismiss Count III of Plaintiff's Complaint (Doc. No. 4) and Plaintiffs' response, **I**

HEREBY ORDER that Defendant's motion to dismiss is **GRANTED**:

1. Count III is **DISMISSED WITH PREJUDICE**.
2. Defendant shall have twenty (20) days to answer the complaint.

BY THE COURT:

/s/ J. William Ditter, Jr.

J. WILLIAM DITTER, JR., J.